



PATENT

Atty. Dkt. No. TAL/0002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

W. Frank Little, Jr.

Serial No.: 09/652,648

Confirmation No.: 3250

Filed: August 31, 2000

For: DEMOUNTABLE AND
REUSABLE WALL AND
CEILING SYSTEM§
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Group Art Unit: 3635

Examiner: Yvonne M. Horton

Customer No.: 26290

MAIL STOP ISSUE FEE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 CFR 1.8	
I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office on	
<u>30 June 2006</u>	
<u>William B. Patterson</u>	
Signature	
William B. Patterson	
Typed or Printed Name	
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Registration No., if applicable	Telephone Number

APPLICATION FOR PATENT TERM ADJUSTMENT UNDER § 1.705

In response to the Notice of Allowance and Determination of Patent Term Adjustment mailed on May 17, 2006, having a shortened statutory period for response set to expire on August 17, 2006, please enter this Application for patent term adjustment for reasons discussed below. The Commissioner is hereby authorized to charge counsel's Deposit Account No. 20-0782/TAL/0002/WBP, the fee of \$200.

The correct patent term adjustment is 902 days based on 37 C.F.R. § 1.702 and § 1.704, supported by the statement of facts presented below.

A total of 118 days should be added under 37 C.F.R. § 1.702(a)(1). The application was filed on 8/31/2000, the first action under 35 U.S.C. § 132 was sent on 2/25/2002, a total of 118 days after the 14 months from filing.

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A total of 35 days should be added under § 1.702(a)(2). A response to non-compliant amendment was filed on 8/06/2004, a notice of allowance was sent on 1/10/2005, a total of 35 days after the four month date.

A total of at least 1000 days should be added under § 1.702(b). The application was filed on 8/31/2000, the notice of allowance was sent on 5/17/2006, a total of 1031 days after the three years within filing date.

A reduction by 189 days of the period of adjustment of the patent term under § 1.704(a) may be applied due to Applicant's failure to engage in reasonable efforts. A notice of non-compliant amendment was sent on 4/13/02 a petition to revive was filed on 1/17/2003, a total of 189 days after the three month period had expired.

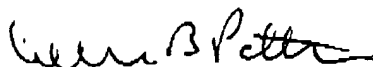
A reduction by 62 days of the period of adjustment of the patent term under § 1.704(a) may be applied due to Applicant's failure to engage in reasonable efforts. A notice of non-compliant amendment was sent on 3/5/04, a response was filed on 8/5/04, a total of 62 days after the three month period had expired.

Therefore the patent term adjustment should be the sum of 118 days, 35 days, and 1000 days reduced by 189 days and 62 days, for a total of 902 days.

The patent is not subject to a terminal disclaimer.

Additionally, after the response to non-compliant amendment dated 8/5/04 the file was lost by the PTO. A notice of missing file was sent by the PTO on 6/29/2005. A response to this notice was sent by Applicant on 7/15/2005. Notice of allowance was then sent on 5/17/2006.

Respectfully submitted,



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FROM: William B. Patterson

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ORIGINAL TO FOLLOW? ☐ YES ☒ NO

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TITLE: DEMOUNTABLE AND REUSABLE WALL AND
CEILING SYSTEM
U.S. SERIAL NO.: 09/652,648
CONFIRMATION NO.: 3250
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FILING DATE: August 31, 2000
INVENTOR: W. Frank Little, Jr.
EXAMINER: Yvonne M. Horton

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